

THE  
SUBSTANCE  
OF A  
CHARGE

DELIVERED TO THE  
GRAND JURY

OF THE  
COUNTY OF HERTFORD,

On Monday the 7th Day of March, 1796.

BY THE  
HON. MR. JUSTICE GROSE.

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LONDON:

PRINTED FOR JOHN STOCKDALE, PICCADILLY.

1796. 280

[Price Sixpence, or One Guinea per Hundred.]



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## HERTFORD ASSIZES.

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MARCH 8, 1796.

*At a MEETING of the GRAND JURY at  
the Assizes for the County of Hertford,*

RESOLVED UNANIMOUSLY,

**T**HAT the Foreman be desired to convey to the Hon. Sir NASH GROSE, Knight, one of the Justices of his Majesty's Court of King's Bench, the respectful and cordial acknowledgments of the Grand Jury of this County, for the able, judicious, and well-timed CHARGE delivered by him from the Bench on the opening of the Commission of Oyer and Terminer, and General Gaol Delivery, at Hertford, on Monday the 7th of March instant, containing matter of the most important nature, and expressed in terms, which, whether

we consider the authority from which they are derived, or the excellence of the sentiments themselves, are most happily calculated to inspire and to confirm, in all ranks of men, a sincere veneration for our Holy Religion, a dutiful submission to the Laws, and a steady attachment to the true principles of our invaluable Constitution; and earnestly to request, in the name of the Grand Jury of this county, that he will consent to the printing and publication of the same.

(Signed)

William Baker, Foreman	Phillip Hollingworth
John Houblon	Thomas Blackmore
Ralph Winter	James Pickard Ince
Thomas Hope Byde	James Lucas
John Baron Dickenson	John Ralph
Michael Hankin	Joseph Walker
John Rooke	Stephen Wilson
George Stainforth	William Newdick
Francis Carter Serancke	Justinian Casamajor
John Cheshyre	Simeon Howard
Adolphus Meetkerke	William Smith
Robert Dimfsdale	

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THE  
SUBSTANCE OF A CHARGE,  
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*Gentlemen of the Grand Jury,*

**W**ORDS cannot better describe the general outline of your duty, than those of the oath which you have taken.—“ You are  
“ diligently to inquire and true presentment  
“ make.—You are not to present any one  
“ for envy, hatred, or malice; nor leave any one  
“ unpresented for love, fear, favour, or affection.—But to present things, truly, as they  
“ shall come to your knowledge.” Thus are you, Gentlemen, become the Grand Inquest for this County, called together by the King, for the purpose of administering justice to his people, and impannelled, under the sanction of an oath, to execute those laws, by which society in this kingdom is holden together.



So long as the world is inhabited by finite, imperfect beings, it will happen that offences come—For the protection of those against whom they are committed, and the punishment of those who may commit them, restraints are formed, and laws are made.

The primary object of the law, is to preserve entire the Government of the country, as it has been constituted by our ancestors.—For this purpose are enacted the statutes respecting High Treason, and for this purpose have been instituted prosecutions against persons suspected of that crime ; and against others, whose conversation, or writings, have tended to excite Sedition.

That such prosecutions should have been necessary, to every good man must be matter of surprize and concern—of surprize, that men should attempt to subvert a Constitution, the laws of which are made, administered, and corrected, as occasion may require, by ourselves—a Constitution which it has been the work of ages to perfect, has been the pride of Englishmen,

men, the envy of surrounding nations, and which our ancestors have delivered down to us, with a jealous care;—of concern, because these attempts lead to the substitution of idleness, spoil, and plunder, for industry; of atheism, for religion; and of anarchy, for government.

I am happy that I am not called upon to address you more particularly on this subject, by any commitments in your calendar, from which I may presume, that the inhabitants of this county know, and feel, the blessings of the Constitution, under which they live; the most prominent features of which are, that every class of men is equally intitled to participate in the benefit of its laws—that the highest are not above the law—that the lowest are within its protection.

The next object of the law, is to protect our lives, our persons, and our property.

Happily for your feelings, and my own, there appears no charge in the calendar of any offence against the first of these, I mean murder,

or manslaughter—offences, at the bare recital of which, humanity must shudder.

The other charges are, in general, such as your experience has rendered you perfectly conversant with.—I shall not, therefore, trouble you with any comment upon the nature of of them, except one—I mean that of Robbery.

This offence consists in taking from the person, or in the presence of another, by force, or by putting him in fear substituted for force, any property, of however small value, belonging to, or in the possession of, the person robbed.

Within this definition are included the acts of those who by force seize provisions, which have been brought, or are in their way to market, from the persons under whose care they are.—This offence is a very bad one, because it leads to a total disregard of property and of the law, and to the taking, what is called by such offenders, the law into their own hands.—In any well-regulated state this ought  
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not to be done—in this country there is not a pretence for resorting to such a conduct ; since, by the laws of the country, recourse may be had to the courts of justice, by any one who has a complaint to make, whether that complaint be of a publick or a private nature.

But the offence is as impolitic, as it is criminal ; as these acts of violence tend to raise the price of provisions, by the terror excited in the minds of those who would otherwise supply the market, but who, fearing the loss of their goods, withhold them :—Still worse is the wanton destruction of the necessaries of life—it favors of folly, as much as of wickedness.—By both these offences, the end aimed at is defeated, by the means used to attain it :—the price of the commodity destroyed is raised to the consumer, by the increased scarcity ;—the laws of property, which should be held sacred, are violated, and the public peace is endangered. The offence is capital, and I mention it thus publickly, that the ignorant and deluded may be apprized of the extent of the offence, and that he, who,  
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knowingly, and obstinately, persists in the violation of the law, may know that the conviction of him will be indubitably followed by punishment.

The offence, constituted as our laws are, is without excuse—because, by those laws, the rich are compelled to relieve the poor.—So long as a rich man has a loaf of bread, the poor man, for his subsistence, is entitled to a share of it—not by force, but, by that peaceable allotment which the statutes made for the relief of the poor point out.

Without, however, resorting to compulsion, we know that it is not in the nature of an Englishman to suffer a fellow creature to perish for want, whom it is in his power to relieve:—In proof of this assertion, I need only refer to the charitable donations existing in every county—I might say in every town, in every county: and I would further refer to the daily attention which has been, and still is, paid to this subject by the legislature, and generous individuals, who are straining every nerve to  
remove,

remove, or lessen, as far as may be, the discomforts of the existing scarcity.

It is my duty now to address you upon his Majesty's proclamation, against profaneness, immorality, and vice.

It has been admitted universally, that when this proclamation issued, the vice and immorality of the times called aloud for this parental admonition. The success of it, I fear, has not been such, that we dare flatter ourselves, that our attention may not still, with propriety, be called to the same subject. I am not vain enough to suppose that I can urge any thing new—it is, however, my duty to submit to you what has occurred to me upon it.

The purpose of it is to enforce obedience, not only to that law which concerns our present temporal happiness, but to that, which, promulgated by the revelation of a supreme Being, is to interest us here and hereafter; as such, it is addressed to a kingdom, inhabited by men who  
yet

yet believe in a God; by men, who, grateful for salvation imparted to them by a beneficent Redeemer, believe in a future state.

Into the minds of persons like yourselves, to whose examples, and whose precepts, the lower classes of men will look up; it cannot be too strongly inculcated, how fit it is by every method to promote the desirable purposes of this proclamation; to teach men to be virtuous, and to keep them so, by encouraging habits of industry, and the practice of every moral and religious virtue. The prevention of crimes is a God-like act, far better than the correction of them.

We are all links of one great chain—the stronger every link is, the firmer the whole will be.—In the honest labour of the inferior classes of men the rich are interested, who from their abundance are bound to relieve the poor in sickness and in want, in return for that which the useful exertions of the one contribute, not merely to the luxury of the other, but also to  
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the improvement of those means by which the happiness of the whole community is extended and secured. Thus, in the industry, the morality, the temperance, and virtue, of every individual, the body politic, in all its parts, is deeply interested. Virtue and happiness go hand in hand, even in this world:—and the greater the stock of moral and religious virtue is among men, the happier the general state of society will be.

By the laws and government of a country, the minds and morals of its inhabitants are formed; by inculcating obedience to those laws, virtue is propagated. Of that obedience the people of this country have known, and still feel, the good effects. They have for their reward, honour, freedom, happiness. They are arrived at a degree of splendor in arms, in arts, in commerce, and in literature,—equalled by few nations,—exceeded by none. If I were asked how we may best deserve these blessings, and retain that proud pre-eminence which we have attained among the nations of the earth, my  
 answer



answer would be, " Let us fear our God, honour our King, obey the laws ourselves, promote and enforce obedience to them in others." To enforce this obedience is the purpose for which we are met; that purpose, I have no doubt, will be effected by your attention to the duty imposed on you, to the honour of yourselves, and the satisfaction of the public.



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\* \* For the Character of this Work, see the Analytical Review for November, 1795.